

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

HERBERT DIAMOND,	:	CIVIL ACTION NO. 05-2729 (MLC)
	:	
Plaintiff,	:	<b>MEMORANDUM OPINION</b>
	:	
v.	:	
	:	
WAL-MART STORES, et al.,	:	
	:	
Defendants.	:	
_____	:	

**THE ACTION HAVING BEEN REMOVED** from New Jersey Superior Court, Monmouth County, under 28 U.S.C. § ("Section") 1332 (dkt. entry no. 1); and now the parties advising the Court:

that damages in this matter are not greater than \$74,999.99 including all interest and costs of suit. Accordingly, the parties agree to remand this case to [state court]

(6-16-05 Jt. Stip. Capping Damages, at 1); and thus the Court intending to remand the action to state court; and good cause appearing, the Court will issue an appropriate order and judgment.

s/ Mary L. Cooper  
**MARY L. COOPER**  
United States District Judge